

MARYLAND DEPARTMENT OF THE ENVIRONMENT  
WATER and SCIENCE ADMINISTRATION

NOTICE OF TENTATIVE DETERMINATION AND PUBLIC HEARING

General Permit For Stormwater Associated with Construction Activity

The Department proposes to reissue the State/NPDES (National Pollution Discharge Elimination System) 14GP (NPDES No. MDG87) General Discharge Permit For Stormwater Associated with Construction Activity with the renewal designation of 20CP. The 20CP permit applies to discharges to Waters of this State from Construction Activities that will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.

The permit requires specific control measures and limitations consistent with State and Federal Regulations. The proposed permit continues the 14GPs technology-based limits, which had been established for each specific type of discharge regulated, in addition to adding specific water quality-based limits. The permit also relies on protections provided through approved erosion and sediment control plans.

Significant Revisions

- \* The permit has been reorganized to enhance compliance with the permit, and facilitate the addition of changes made.
- \* Types of Discharges Authorized has been modified to clarify approved non-stormwater discharges in addition to the inclusion of chemical additives.
- \* Effluent limit are organized into technology-based and water quality-based limits, and vague references to requirements in COMAR or the erosion and sediment control plan are now laid out in the permit.
- \* Water quality-based limits now include sensitive waters (Tier 2 or Tier 3) requirements for a checklist to be provided with the NOI, as well as requirements related to PCB discharges in PCB impaired watersheds.
- \* Triggers have been identified to creation of a SWPPP, to include polymer use, contaminated soil or demolition, onsite-fueling or batch plant, and common plan of development.
- \* changes to requirements for the NOI have been included to address several of the changes to the permit.
- \* Miscellaneous Changes - The permit also includes several clarifications on the types of eligible discharges authorized by the permit and updates various permit conditions, requirements to obtain coverage under an individual permit, as necessary; termination of coverage under a permit; continuation of an expired general permit; the definitions of relevant terms; facility operation and maintenance requirement; permit modification conditions; and civil penalties for violations of permit conditions.

The other requirements of the 20-CP remain unchanged from the 14-GP.

The Department will hold a public hearing concerning the tentative determination on **[DATE]**, from 10 a.m.-12 p.m., in the Terra/Aqua/Aeris Conference Rooms at the Maryland Department of the Environment, 1800 Washington Boulevard Baltimore, MD 21230.

Any hearing impaired person may request an interpreter at the hearing by contacting Office of Fair Practices, at (410) 537-3964 at least ten working days prior to the scheduled hearing date. TTY users should contact the Maryland Relay Service at 1-800-201-7165.

Written comments concerning the tentative determination will be considered in the preparation of a final determination if submitted to the Department at the below address, on or before **[DATE]**. The draft permit is available on MDE's website and can be found at **[LINK]** during the above comment period. Any questions should be directed to **Maryland Department of the Environment, Water Management Administration, 1800 Washington Blvd., Ste. 455, Baltimore, MD 21230-1708, Attn: Paul Hlavinka, Industrial Permits Division**, at paul.hlavinka@maryland.gov, or by telephone at 410-537-3323 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Copies of the document may be obtained at a cost of \$0.36 per page.